

**25052. Butter.** (F.D.C. No. 40828. S. No. 25-676 P.)

**QUANTITY:** 64 64-lb. boxes at Faribault, Minn.

**SHIPPED:** 7-30-58, from West Point, Nebr., by West Point Creamery.

**LABEL IN PART:** (Box) "Creamery Butter West Point Creamery Distributors & Mfgs. 402 West Point Nebr."

**LIBELED:** 8-8-58, Dist. Minn.

**CHARGE:** 402(b)(2)—when shipped, a product containing less than 80 percent by weight of milk fat had been substituted for butter.

**DISPOSITION:** 9-4-58. Consent—claimed by West Point Creamery and reworked.

### CHEESE

**25053. Cheddar cheese.** (F.D.C. No. 41169. S. Nos. 63-534 M, 73-086 M.)

**INFORMATION FILED:** 8-8-58, Dist. Nebr., against North Loup Cooperative Cheese Co., a corporation, North Loup, Nebr., and Victor H. King, manager.

**ALLEGED VIOLATION:** On 1-25-57, the defendants gave to a firm engaged in the business of shipping cheese in interstate commerce a guaranty to the effect that cheese shipped by them under the guaranty would not be adulterated or misbranded.

On 7-25-57, the defendants caused to be shipped to the holder of the guaranty, at Omaha, Nebr., a quantity of cheddar cheese which was adulterated.

**CHARGE:** 402(a)(3)—contained manure fragments, and filth-contaminated milk was used in the preparation of the article; and 402(a)(4)—prepared under insanitary conditions.

**PLEA:** Nolo contendere.

**DISPOSITION:** 9-25-58. Corporation—\$2,000 fine, plus costs; individual—\$100 fine.

**25054. Baker's cheese.** (F.D.C. No. 41992. S. No. 26-465 P.)

**QUANTITY:** 138 30-lb. boxes, 12 15-lb. tins, and 84 5-lb. bags at Chicago, Ill.

**SHIPPED:** 7-31-58, from Sigourney, Iowa, by Iowa's Dairyland Products, Inc.

**LABEL IN PART:** (Box) "Nichols Badger Brand Bakers Cheese (Cottage Cheese) \* \* \* Dist. by Meinerz Creamery, Milwaukee, Wisconsin 209 [or "210" or "211"]."

**RESULTS OF INVESTIGATION:** The tins and bags were repackaged by the consignee from the cheese coded 210 and 211.

**LIBELED:** 8-18-58, N. Dist. Ill.

**CHARGE:** 402(a)(3)—contained manure fragments, rodent hair fragments, insects, and insect fragments and 402(a)(4)—prepared under insanitary conditions.

**DISPOSITION:** 9-16-58. Default—destruction.

### EGGS

**25055. Frozen eggs.** (F.D.C. No. 40614. S. Nos. 6-373 M, 82-767/8 M.)

**INFORMATION FILED:** 7-11-58, S. Dist. Ind., against Ballas Egg Products, Inc., Greensburg, Ind., and Maurice Humpert, plant manager.

**SHIPPED:** Between 3-6-57 and 7-2-57, from Indiana to Ohio.

**LABEL IN PART:** (Can) "Net Weight 30 Pounds Frozen Whole Eggs [or "Frozen Bakers Special Blend"] B - M - C Packed For Bakers Merchandise Co., Philadelphia, Pa."

**CHARGE:** 402(a) (3)—contained decomposed eggs when shipped.

**PLEA:** Guilty.

**DISPOSITION:** 8-14-58. Corporation and individual fined \$300 each, plus costs.

**25056. Frozen eggs.** (F.D.C. No. 41708. S. Nos. 89-489/90 M, 89-529/30 M.)

**INFORMATION FILED:** 9-6-58, N. Dist. Ga., against Quill C. Jordan, t/a Toccoa Egg Co., Toccoa, Ga.

**ALLEGED VIOLATION:** On 8-31-56, the defendant gave to a firm engaged in the business of shipping frozen eggs in interstate commerce a guaranty to the effect that frozen eggs shipped by it under the guaranty would not be adulterated or misbranded.

Between 10-2-57 and 11-8-57, the defendant caused to be shipped to the holder of the guaranty, at Atlanta, Ga., and Tifton, Ga., quantities of frozen eggs which were adulterated.

**CHARGE:** 402(a) (3)—contained decomposed eggs when shipped.

**PLEA:** Nolo contendere.

**DISPOSITION:** 10-17-58. Fine of \$75 and probation for 2 years.

**25057. Frozen eggs.** (F.D.C. No. 41988. S. No. 31-654 P.)

**QUANTITY:** 480 cans at Jersey City, N.J.

**SHIPPED:** 7-5-58, from Nashville, Tenn., by L. Meyer & Co.

**LABEL IN PART:** "Frozen Whole Eggs Packed for L. Meyer 30 Lbs. Net Wt. Jersey City N.J."

**LIBELED:** 8-18-58, Dist. N.J.

**CHARGE:** 402(a) (3)—contained decomposed eggs when shipped.

**DISPOSITION:** 9-22-58. Consent—claimed by L. Meyer & Co. Segregation unsuccessful; entire lot denatured for technical use.

## FEEDS AND GRAINS

**25058. Swine feed concentrate and chickenfeed concentrate.** (F.D.C. No. 41748. S. Nos. 64-911 M, 82-993 M.)

**INFORMATION FILED:** 9-8-58, S. Dist. Ohio, against Davis Enterprises, Inc., Dayton, Ohio.

**SHIPPED:** 7-30-57, from Ohio to Indiana.

**LABEL IN PART:** (Tag label) "Davis—A-Z Feed Fortification Fortifier Concentrate For Swine Type S-302 For Hog Supplement Medicated Minimum Content Per Pound Vitamin A 100,000 U.S.P. Units Vitamin D<sub>2</sub> 250,000 U.S.P. Units Net Weight 10 Pounds" or "Davis A to Z Feed Fortification Fortifier Concentrate For Chickens Type C-102 Layer and Breeder Medicated Minimum Content Per Pound Vitamin D<sub>2</sub> 200,000 I.C. Units Net Weight 10 Pounds."

**RESULTS OF INVESTIGATION:** Analysis disclosed that the articles were 50 percent deficient in vitamin D.